

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

BRUCE ANTHONY TURNER, #156401 *
Petitioner, *v. * CIVIL ACTION NO. 2:05-CV-1169-F

BOBY RILEY, GOVERNOR OF ALABAMA, *
et al., *

Respondents.

O R D E R

Pending before the court is Petitioner's application for habeas corpus relief. Petitioner has not submitted the \$5.00 filing fee nor has he filed motion for leave to proceed *in forma pauperis*. Petitioner, therefore, shall be granted additional time to either provide the court with the \$5.00 filing fee or with the information necessary for a determination of whether he should be allowed to proceed *in forma pauperis* in this cause of action.

Accordingly, it is ORDERED that:

1. On or before January 5, 2006 Petitioner either submit the \$5.00 filing fee or file the appropriate affidavit in support of a motion for leave to proceed *in forma pauperis*. Petitioner is cautioned that his failure to comply with this Order will result in a recommendation by the undersigned that this case be dismissed; and

2. The Clerk of Court SEND a form for use in filing a motion to proceed *in forma pauperis* to Petitioner.

Done this 21st day of December, 2005.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE